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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/578,127	07/27/2006	Takeaki Teramae	40334	5085
53054 7590 03/18/2010 PEARNE & GORDON LLP 1801 EAST 9TH STREET SUITE 1200 CLEVELAND, OH 44114-3108				
EXAMINER HICKS, CHARLES V				
ART UNIT		PAPER NUMBER		
2629				
NOTIFICATION DATE		DELIVERY MODE		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/578,127

Applicant(s)

TERAMAE ET AL.

Examiner

CHARLES HICKS

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 July 2006.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-26 is/are rejected.
7) ☒ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 02 May 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/28)
Paper No(s)/Mail Date 05/02/2006: 03/20/2008
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 and 7-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Iwata (US 2001/0003826).

In reference to claim 1, Iwata teaches a mobile terminal apparatus comprising:
an electronic mail receiving unit which receives an electronic mail (Iwata, Abstract);
and a pictograph light driving unit which, when a pictograph exists in the electronic mail received by the electronic mail receiving unit drives, a pictograph light display portion in a color and pattern registered in advance corresponding to the pictograph (Iwata, Abstract; pg.1, par. 5).

Claim 2 is rejected as being dependent on rejected claim 1 as discussed above and further, Iwata teaches further comprising: a pictograph light registration unit which registers a lightening color and pattern in advance corresponding to a pictograph (Iwata, Abstract, the electronic mail device dictionary stores a character string and a corresponding pictograph; pg. 1, par. 5);

and a determination unit which determines whether or not the pictograph received by the electronic mail receiving unit is the pictograph registered in advance in the pictograph light registration unit (Iwata, Abstract, the electronic mail device dictionary stores a character string and a corresponding registered pictograph; pg. 1, par. 5);

wherein, if the pictograph is the registered pictograph, when the electronic mail including the pictograph is received, the pictograph light display portion is driven by the pictograph light driving means in the color and pattern registered in advance corresponding to the pictograph (Iwata, Abstract, the electronic mail device dictionary stores a character string and a corresponding registered pictograph; pg. 1, par. 5).

Claim 3 is rejected as being dependent on rejected claim 1 as discussed above and further, Iwata teaches further comprising: a light display setting unit which sets switching between a state of driving the pictograph light display portion and a state of not driving the pictograph light display portion (Iwata, pg. 6, par. 75),

wherein, although the pictograph received by the electronic mail receiving unit is the pictograph registered in advance in the pictograph light registration unit, only if the light display setting unit is set to the state of driving the pictograph light display portion, when the pictograph exists in the pictograph received by the electronic mail receiving unit, the pictograph light display portion is driven in the color and pattern registered in advance corresponding to the pictograph (Iwata, pg. 6, par. 75).

Claim 7 is rejected as being dependent on rejected claim 1 as discussed above and further, Iwata teaches wherein the pictograph light display portion is a display portion for displaying the electronic mail (Iwata, Abstract).

Claim 8 is rejected as being dependent on rejected claim 1 as discussed above and further, Iwata teaches wherein the pictograph light display portion is a sub display portion disposed on the cabinet (Iwata, Fig. 8B).

In reference to claim 9, Iwata teaches a mobile terminal apparatus comprising: a displaying unit which displays an electronic mail list (Iwata, Abstract);

electronic mail selection unit which selects an arbitrary electronic mail from the electronic mail list displayed on the displaying unit (Iwata, Abstract);

and a pictograph light driving unit which, when a pictograph registered in advance exists in a main text of the electronic mail selected by the electronic mail selection unit (Iwata, Abstract; pg. 1, par. 5),

drives a pictograph light display portion in a color and pattern corresponding to the pictograph, wherein, when the electronic mail including the pictograph registered in advance is selected by the electronic mail selection unit, the pictograph light display portion is driven in the color and pattern the pictograph by the pictograph light driving unit (Iwata, Abstract; pg. 1, par. 5).

In reference to claim 10, Iwata teaches a mobile terminal apparatus comprising:
a displaying unit which displays an electronic mail list (Iwata, Abstract);

An electronic mail selection unit which selects one electronic mail from the
electronic mail list displayed on the displaying unit (Iwata, Abstract);

a changing unit which, in a state where a main text of the electronic mail selected
by the electronic mail selection unit is displayed, changing the main text of the displayed
electronic mail into a main text of a separate electronic mail (Iwata, pg. 6, par. 71, 73);

a pictograph light driving unit which, when the main text of the electronic mail is
changed into the main text of the separate electronic mail by the changing unit, if a
pictograph registered in advance exists in the separate electronic mail after the
changing thereof, drives the pictograph light display portion in a color and pattern
corresponding to the pictograph (Iwata, Abstract; pg. 1, par. 5).

Claim 11 is rejected as being dependent on rejected claim 10 as discussed
above and further, Iwata teaches further comprising: a pictograph light driving unit
which, in a state where a main text of the electronic mail is displayed, determines
whether or not a predetermined pictograph exists in the displayed electronic mail and, if
the pictograph exists, drives the pictograph light display portion in a color and pattern
corresponding to the pictograph (Iwata, Abstract; pg. 1, par. 5).

In reference to claim 12, Iwata teaches a mobile terminal apparatus comprising: an editing screen displaying unit which displays an editing screen of an electronic mail (Iwata, pg. 6, par. 67);

an electronic mail writing unit which, in a state where the editing screen is displayed by the editing screen displaying unit, writes the electronic mail (Iwata, pg. 6, par. 67, 75);

and a pictograph light driving unit which, when a pictograph registered in advance in a pictograph light registration unit is used during the wiring of the electronic mail by the electronic mail writing unit, drives the pictograph light display portion in a color and pattern corresponding to the used pictograph (Iwata, Abstract; pg. 1, par. 5).

Claim 13 is rejected as being dependent on rejected claim 12 as discussed above and further, Iwata teaches wherein, every time that the pictograph registered in advance in the pictograph light registration unit is used during the wiring of the electronic mail, the pictograph light driving unit drives the pictograph light display portion in the color and pattern corresponding to the used pictograph (Iwata, Abstract; pg. 1, par. 5).

Claim 14 is rejected as being dependent on rejected claim 12 as discussed above and further, Iwata teaches further comprising: means for, when the editing screen is terminated during the writing of the electronic mail by the electronic mail writing unit,

forcibly stopping the display of the pictograph light display portion by the pictograph light driving unit (Iwata, pg. 6, par. 75).

Claim 15 is rejected as being dependent on rejected claim 12 as discussed above and further, Iwata teaches further comprising: means for, when a separate event other than the display of the pictograph light display portion by the pictograph light driving unit occurs during the writing of the electronic mail by the electronic mail writing unit, displaying the separate event on the pictograph light display portion with a priority to the driving of the pictograph light display portion by the pictograph light driving means (Iwata, pg. 6, par. 75).

In reference to claim 16, Iwata teaches a mobile terminal apparatus comprising: a previewing unit which displays an electronic mail in order to check a content of the electronic mail in advance, wherein, when the electronic mail is displayed by the previewing unit, if a pictograph registered in advance exists in the electronic mail, a pictograph light display portion is driven in a color and pattern corresponding to the pictograph (Iwata, Abstract; pg. 1, par. 5).

Claim 17 is rejected as being dependent on rejected claim 1 as discussed above and further, Iwata teaches wherein a plurality of the registered pictographs and the colors and patterns corresponding thereto are arbitrarily set (Iwata, Abstract; pg. 1, par. 5).

Claim 18 is rejected as being dependent on rejected claim 1 as discussed above and further, Iwata teaches wherein the pictograph light driving unit checks the content of the electronic mail and, every time that the pictograph registered in advance exists in the electronic mail, drives the pictograph light display portion in the color and pattern corresponding to the checked pictographs in a sequential manner thereof (Iwata, Fig. 8B; Abstract; pg. 1, par. 5).

Claim 19 is rejected as being dependent on rejected claim 9 as discussed above and further, Iwata teaches wherein a plurality of the registered pictographs and the colors and patterns corresponding thereto are arbitrarily set (Iwata, Abstract; pg. 1, par. 5).

Claim 20 is rejected as being dependent on rejected claim 9 as discussed above and further, Iwata teaches wherein the pictograph light driving unit checks the content of the electronic mail and, every time that the pictograph registered in advance exists in the electronic mail, drives the pictograph light display portion in the color and pattern corresponding to the checked pictographs in a sequential manner thereof (Iwata, Fig. 8B; Abstract; pg. 1, par. 5).

Claim 21 is rejected as being dependent on rejected claim 10 as discussed above and further, Iwata teaches wherein a plurality of the registered pictographs and

the colors and patterns corresponding thereto are arbitrarily set (Iwata, Abstract; pg. 1, par. 5).

Claim 22 is rejected as being dependent on rejected claim 10 as discussed above and further, Iwata teaches wherein the pictograph light driving unit checks the content of the electronic mail and, every time that the pictograph registered in advance exists in the electronic mail, drives the pictograph light display portion in the color and pattern corresponding to the checked pictographs in a sequential manner thereof (Iwata, Fig. 8B; Abstract; pg. 1, par. 5).

Claim 23 is rejected as being dependent on rejected claim 12 as discussed above and further, Iwata teaches wherein a plurality of the registered pictographs and the colors and patterns corresponding thereto are arbitrarily set (Iwata, Abstract; pg. 1, par. 5).

Claim 24 is rejected as being dependent on rejected claim 12 as discussed above and further, Iwata teaches wherein the pictograph light driving means checks the content of the electronic mail and, every time that the pictograph registered in advance exists in the electronic mail, drives the pictograph light display portion in the color and pattern corresponding to the checked pictographs in a sequential manner thereof (Iwata, Fig. 8B; Abstract; pg. 1, par. 5).

Claim 25 is rejected as being dependent on rejected claim 16 as discussed above and further, Iwata teaches wherein a plurality of the registered pictographs and the colors and patterns corresponding thereto are arbitrarily set (Iwata, Abstract; pg. 1, par. 5).

Claim 26 is rejected as being dependent on rejected claim 16 as discussed above and further, Iwata teaches wherein the pictograph light driving means checks the content of the electronic mail and, every time that the pictograph registered in advance exists in the electronic mail, drives the pictograph light display portion in the color and pattern corresponding to the checked pictographs in a sequential manner thereof (Iwata, Fig. 8B; Abstract; pg. 1, par. 5).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iwata (US 2001/0003826) in view of Jeon (US 2003/0001817).

Claim 4 is rejected as being dependent on rejected claim 1 as discussed above and further, Iwata teaches further comprising: a pictograph light driving unit (Iwata, pg. 6, par. 75),

and pictograph display stopping unit (Iwata, pg. 6, par. 75).

Iwata however fails to disclose opening/closing determination unit for determining whether a cabinet is in a opened state or in a closed state; display stopping unit for, in a state that the opening and closing states of the cover are determined by the opening/closing determination unit, when a predetermined operation is performed, forcibly stopping the display of the light display portion by the light driving unit.

Jeon discloses a mobile display terminal, analogous in art with that of Iwata, comprising an opening/closing determination unit for determining whether a cabinet is in a opened state or in a closed state (Jeon, pg. 1, par. 7);

display stopping unit for, in a state that the opening and closing states of the cover are determined by the opening/closing determination unit, when a predetermined

operation is performed, forcibly stopping the display of the light display portion by the light driving unit (Jeon, pg. 1, par. 7).

At the time the invention was made, it would have been obvious to one having ordinary skill in the art to modify the electronic mail display terminal of Iwata, to comprise an opening/closing determination unit for determining whether a cabinet is in an opened state or in a closed state; to add a display stopping unit for, in a state that the opening and closing states of the cover are determined by the opening/closing determination unit, when a predetermined operation is performed, forcibly stopping the display of the light display portion by the light driving unit, as taught by Jeon.

As one of ordinary skill in the art would appreciate, the suggestion/motivation for doing so would have been to conserve battery power by turning off the display when the device is closed and not being viewed by a user (Jeon, pg. 1, par. 7).

Claim 5 is rejected as being dependent on rejected claim 4 as discussed above and further, Iwata modified by Jeon teaches display of a pictograph light display portion, and pictograph light driving portion (Iwata, pg. 6, par. 75),

wherein, in a case where the cabinet is determined to be in the opened state by the opening/closing determination unit, when the cover is changed into the closed state, when switching of a display screen is operated, or when other display competitions occur, the display of the light display portion by a light driving unit is forcibly stopped, and wherein, in a case where the cabinet is determined to be in the closed state, when a camera key is manipulated, when a memo key is manipulated, or when other display

competitions occur, a display of a light display portion by a light driving unit is forcibly stopped (Jeon, pg. 1, par. 7).

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Iwata (US 2001/0003826) in view of Denny (US 2004/0212586).

Claim 6 is rejected as being dependent on rejected claim 1 as discussed above and further, Iwata fails to teach wherein the pictograph light display portion is a light emitting diode disposed on the cabinet.

Denny discloses a cell phone display, analogous in art with that of Iwata, wherein a pictograph light display portion is a light emitting diode disposed on a cabinet (Denny, pg. 4, par. 65).

At the time the invention was made, it would have been obvious to one having ordinary skill in the art to modify the display of Iwata wherein the pictograph light display portion is a light emitting diode disposed on the cabinet, as taught by Denny.

As one of ordinary skill in the art would appreciate, the suggestion/motivation for doing so would have been combining prior art elements according to known methods to yield predictable results, namely, the well known use of a light emitting diode display in a mobile device, which will reduce power consumption, provide even luminance of the display, and be of a lighter weight (Denny, pg. 4, par. 65).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHARLES HICKS whose telephone number is 571-270-7535. The examiner can normally be reached on Monday-Thursday from 7:30 to 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sumati Lefkowitz, can be reached on 571-272-3638. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Sumati Lefkowitz/
Supervisory Patent Examiner, Art Unit 2629